C.S. (A)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR C.G.

W.P. No. 7607 /2006

PETITIONER

Hiralal Soni S/o Shri Dashrath Soni Aged about 38 years, Occupation-business, R/o Vikashnagar Kushmunda Tahsil Katghora, District-Korba(C.G.)

P.R. No. 3658/06
Presented by Shri O.P. Yadav
dated 17/7/06

VERSUS

RESPONDENTS

1. State of C.G. through the Collector District Korba (C.G.)
2. Naib Tahsildar Deepka Tahsil –Kathghora, Distt. Korba (C.G.)
3. General Manager NTPC Jamnipali Tahsil-Kathghora, District-Korba (C.G.)

WRIT PETITION U/ART:- 227 OF THE CONSTITUTION OF INDIA:

1. PARTIC

(56)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.7607/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	16.1.2007: Shri Ashok Shukla counsel for the petitioner. By this petition under Article 227 of the Constitution of India the petitioner has impugned the order of Annexure P-6 passed in Misc. Civil Appeal No. 17/2005 by Additional District Judge, Korba whereby the appeal preferred by the petitioner against the refusal of temporary injunction has been dismissed. Learned counsel for the petitioner submits that the petitioner is in possession of the suit land since 32-33 years and he is doing his business. However, on the pretext that the land in question has been acquired for NTPC, the respondents are contemplating to evict him without adopting due process of law. The Courts below without considering the objection of the petitioner have rejected the application for temporary injunction. I have heard counsel for the petitioner and perused the impugned order. From perusal of the impugned order it is observed that the land in question stands transferred in favour of NTPC after validly acquiring the same in the year 1980. In view of above, there appears to be no illegality or jurisdictional error in the impugned order which calls for interference by this Court under Article 227 of the Constitution of India. The petition as such is without any substance and therefore the same is dismissed. Sd/- Dhirednra Mishra Judge	